



## **School-Age Care Operational FAQ**

**August 27, 2020**

This FAQ is intended to help leaders from child care programs, public schools, community-based organizations (CBO), Local Health Departments, and other groups working to provide school-age care to children during periods of remote learning.

If you have a question that you and your local partners haven't yet been able answer, please consult the regularly updated [FAQ](#) document for K – 12 schools reopening guidance, and/or reach out to [StrongSchoolsNC@dhhs.nc.gov](mailto:StrongSchoolsNC@dhhs.nc.gov).

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### **General Questions**

#### **Are there sample contracts between public schools and community-based organizations for Remote Learning Facilities that can be used as examples?**

Yes, sample contracts are available [here](#). These samples are provided solely as an example to assist public schools and community-based organizations in contracting. NCDHHS is not requiring or endorsing use of these exact contracts.

#### **Do public schools or community-based organizations that are contracting need to submit information about their contracts to NCDHHS?**

No. However, community-based organizations must have a written contract executed and available upon request by NCDHHS to demonstrate that they are operating legally.

#### **Is financial assistance available for school-age care provided at a public school site or community-based organization serving as a Remote Learning Facility?**

This will depend on whether the public school or community-based organization can provide financial assistance to parents and families. NCDHHS does not have additional funds available for school-age care provided at a public school site or community-based organization. Families can apply for child care subsidy assistance, but subsidy vouchers can only be used at child care programs that are licensed and rated as 3-star, 4-star, or 5-star quality.

#### **Can public schools or community-based organizations contracted with public schools charge a fee to families for school-age care?**

Yes. However, public schools and community-based organizations are strongly encouraged to offer financial assistance or scholarships to families who may need assistance paying for care. Public schools may be able to use Elementary and Secondary School Emergency Relief (ESSER) funding for these purposes.

## **Can families who receive child care subsidy assistance use their subsidy vouchers for school-age care?**

Families can only use subsidy vouchers at child care programs that are licensed and rated as 3-star, 4-star, or 5-star quality. If families want to use a subsidy voucher for school-age care, they can contact their local department of social services (DSS) or Local Purchasing Agency (LPA) to confirm that their preferred program participates in child care subsidy. If the public school site or community-based organization does not participate in child care subsidy, the family may wish to ask the DSS or LPA to help find a program that does. If a family chooses to send their school-age child(ren) to a public school site or community-based organization that is not a licensed child care program, they cannot use their subsidy voucher there and the family would be responsible for paying for that service out of pocket.

## **Are community-based organizations providing a Remote Learning Facility required to be inspected by local health departments?**

No. CBOs that contract with schools to serve as Remote Learning Facilities are considered an extension of the public school and thus are exempt from child care rules; however, the CBO is not licensed as a public school. Therefore, contracted CBOs do not need to be inspected for compliance with 15A NCAC 18A .2400.

However, public schools that are contracting with CBOs should consider several important sanitation standards that are important to the health and safety of children, which can be found [here](#). Additionally, CBOs may contact local health departments for consultative visits on sanitation standards.

## **For Public Schools**

### **How can schools prioritize working families as they choose reopening schedules?**

Public schools can consider bringing back only younger children (e.g., Pre-K through 5<sup>th</sup> grade) for in-person instruction and spread them out in middle and high schools to ensure required 6 feet social distancing is possible. Several districts have taken this approach by either bringing back only younger students for in-person instruction and having older students participate in full remote learning, or other bringing back younger students for more days of in-person instruction relative to older students. Check the [NCDPI Lighting Our Way Forward guidance](#) for additional in-person strategies.

### **How can schools help families find school-age care in licensed child care programs in their communities?**

- Public schools can share flyers in [English](#) and [Spanish](#) with families to promote the statewide child care hotline (1-888-600-1685). The hotline is available from Monday through Friday (8AM to 5PM) and will connect parents and families to available child care for infants through children age 12.
- Public schools can also share a parent toolkit on [What To Know When Looking For School-Age Child Care](#) with families.

### **Can public schools offer school-age care on-site at the public school?**

- Yes. Public schools choosing to offer school-age care on-site at the public school are expected to:
  - Ensure sufficient staff supervise children who are engaging in remote learning
  - Meet the health and safety guidance outlined in [StrongSchoolsNC Public Health Toolkit \(K-12\) under Plan B](#)
  - Manage any processes to enroll children into care on-site at public schools
- It is strongly recommended that public schools:
  - Provide meals to children attending public schools to engage in remote learning.
  - Maintain a staff to child ratio of 1 to 25.
  - Offer scholarships for families who need assistance paying for child care.

### **How can public schools partner with local community-based organization(s) to help provide school-age care?**

- In accordance with [emergency rules](#) adopted by the Child Care Commission which are effective August 13, 2020, public schools can contract with community-based organizations (e.g., Parks and Recreation programs, YMCAs, Boys

and Girls Clubs, non-profits) to serve as Remote Learning Facilities to provide school-age care during periods of remote learning. Public schools are expected to:

- Enter into a written contractual arrangement with the community-based organization(s) which meets the requirements of the [emergency rules](#).
  - Contractually require community-based organizations to meet the health and safety guidelines outlined in [StrongSchoolsNC Public Health Toolkit \(K-12\)](#).
  - Assume liability for any incidents or occurrences at the Remote Learning Facility in the same way public schools would be liable if the school-age child(ren) were in a building that is approved for school occupancy and which houses any part of the public school system. Public schools can also obtain liability insurance and/or contractually apportion liability between themselves and the community-based organization for incidents or occurrences.
  - Work with the community-based organization to manage any processes to enroll children into care on-site at the Remote Learning Facility.
- **It is strongly recommended that public schools:**
    - Ensure community-based organizations meet sanitation standards recommended in [NCDHHS guidance](#) on environmental health considerations for community-based organizations contracting with public schools to serve as Remote Learning Facilities.
    - Work with the community-based organization to ensure children who need meals from the public school can receive them.
    - Consider offering scholarships for families who need assistance paying for child care at the community-based organization.

### **Are public schools required to provide meals for a Remote Learning option on-site at the public school?**

Public schools are strongly encouraged to provide meals as part of the remote learning option at a public school site or at a Remote Learning Facility through a community-based organization.

### **What health guidance should a public school follow if it is providing a remote learning site on-option at the public school?**

Public schools are subject to the health and safety requirements of the [StrongSchoolsNC Public Health Toolkit \(K-12\)](#) under Plan B guidance and would remain subject to [15A NCAC 18A .2400](#) for other non-COVID-19 health and sanitation requirements.

### **Can public schools provide a remote learning option for the children of their teachers or staff?**

Parents who are educators or school staff may bring their child (regardless of age) to their school building with them and ensure the child remains under their supervision. For example, if a teacher is using their classroom to broadcast remotely for students accessing the content digitally (the classroom is empty of students), his or her child may be in the same classroom under the supervision of the parent.

Alternately, the public school could set up a remote learning location on-site at the public school for students who are school-age children of teachers with appropriate staff and meeting health and safety requirements. Parents would not be able to bring children under the age of 5 to this on-site setting due to licensure requirements.

### **If a public school wants to use a newly constructed school building, or a school building that has previously not served as a location where education is provided, to provide school-aged care, what is the expectation for inspection by the local health department?**

Public schools that wish to operate a new public school building that is licensed by the Department of Public Instruction as a public school to provide school-age care are subject to any typical inspection or approval process for a school building. The State will review the plans upon request.

## **For Community-Based Organizations**

### **What is the approval process for a community-based organization to serve as a Remote Learning Facility?**

Community-based organizations must enter into a written contractual arrangement with a public school or public school district in accordance with the [emergency rules](#) adopted by the NC Child Care Commission. Community-based organizations do not need to receive approval from NCDHHS but must have a written contract executed and available upon request by NCDHHS to demonstrate that CBOs are operating legally.

Community-based organizations establishing a Remote Learning Facility are expected to:

- Ensure sufficient staff supervise children who are engaging in remote learning.
- Meet the health and safety guidance outlined in [StrongSchoolsNC Public Health Toolkit \(K-12\) under Plan B](#).
- Manage any processes to enroll children into care on-site at public schools.
- Meet any other requirements in the [emergency rules](#) adopted by the NC Child Care Commission.
- Ensure food comes from an approved food source (either catered from a permitted restaurant, brought in packaged from a public school cafeteria, or prepackaged from a food manufacturing facility) or, if preparing food, the community-based organization will need to obtain a permit under 15A NCAC 18A .2600.

It is strongly recommended that community based organizations:

- Meet sanitation standards recommended in [NCDHHS guidance](#) on environmental health considerations for community-based organizations contracting with public schools to serve as Remote Learning Facilities.
- Provide meals to children attending to engage in remote learning.
- Maintain a staff to child ratio of 1 to 25.
- Offer scholarships for families who need assistance paying for child care.

### **If a community-based organization is working with multiple schools, how many contracts does it need?**

If a community-based organization is working with multiple schools within one public school district, it can have one contract with the public school district. If a community-based organization is working with schools in multiple public school districts, it will need to contract with each district separately. Entities with questions about contracting should contact their entity's legal counsel.

### **If community-based organizations served school-age children during the end of the 2019-2020 school year (when public school buildings were required to close by Executive Order), can they continue to operate for an additional period of time to serve families during the 2020-2021 school year?**

Per North Carolina statutes (NC GS 110-86-2(b)), a recreational program can operate for up to four consecutive months in a year without needing a child care license. Once a recreational program has begun operations, they must finish their four months of operation within a continuous time frame, and it cannot be broken up. For example, if a recreational program operated in April and May (two months), they could **not** continue to operate from August through September. Even if the program operates for less than four consecutive months, the program will have used their allowable four months in a row of operation as a recreational program. In order to continue operating after the 4-month period has ended within the same 12-month period, the program would need to either contract with a public school per the [emergency child care rules](#) or obtain a license to serve school-age children.

### **How can community-based organizations provide school-age care?**

- Check whether the organization provides care for more than four hours per day. If so, the organization is not eligible to serve school-age children without a license.
- Check whether the organization has already offered four (4) consecutive months of care to serve school-age children in the previous 12 months. If so, the organization is not eligible to serve school-age children without a license until next year. For example, if the organization served children when schools closed in March and April, the organization

would have used up the 4 consecutive months and not be able to serve children as an unlicensed facility until 12 months from the date the organization started operations in 2020.

- Community-based organizations that have not yet operated recreational programs this year may serve school-age children for full day care as a recreational program for up to four (4) consecutive months.
- Community-based organizations that have operated as a recreational program for 4 consecutive months this year but still wish to continue operating to provide school-age care can pursue the following options: 1) enter into a written contract with a public school to serve as a Remote Learning Facility that meets the requirements of the [emergency rules](#) (see above) or 2) obtain a license from NCDHHS to operate a school-age child care program.

### **Can a community-based organization offer two half day programs (each operating for not more than four hours and each serving different children)?**

Yes, if these programs operate for less than four hours and each program serves different children, they may operate without a license. However, these programs would then become subject to mass gathering limits (e.g., maximum 10 individuals indoors, maximum 25 individuals outdoors) and other provisions of the current Executive Orders because they would not be protected by the child care exception to mass gathering limits under Executive Order.

### **What health and safety guidance should a community-based organization follow if it has a contract with a public school to serve as a Remote Learning Facility?**

Community-based organizations that have a contract with a public school to serve as a Remote Learning Facility are subject to the health and safety requirements of the [StrongSchoolsNC Public Health Toolkit \(K-12\)](#) under Plan B guidance. In addition, CBOs that provide food must obtain food from an approved source (either catered from a permitted restaurant, brought in packaged from a public school cafeteria, or prepackaged from a food manufacturing facility), or if preparing food, the CBO will need to obtain a permit under 15A NCAC 18A .2600.

### **If a community-based organization operated a day camp during the summer and would like to keep providing child care services during the school year, can it contract with public schools to serve as a Remote Learning Facility?**

Organizations such as dance studios, gymnastics studios, dojos, etc. are typically considered to be providing “specialized activities or instruction” (under NCGS 110-86(2)c). As long as children are engaged in specialized activities or regular programs of the clubs, the organization is not providing “child care.” Specialized activities are exempted from the definition of child care, however these activities would be subject to mass gathering limits (e.g., maximum 10 individuals indoors, maximum 25 individuals outdoors) and other provisions of the Executive Order closing certain types of facilities, such as museums, dance studios, gyms, or indoor fitness.

Note: If the activities of a club/organization shift away from regular programming (e.g., to provide a remote learning option), they fall outside of the scope of this exception and will not be exempt from the definition of child care. If these organizations enter into a written contract with a public school in accordance with the [emergency rules for school-age care](#), then they will be considered an extension of public school and will be exempt from Executive Order provisions. If these organizations do not contract with the school system, they would be required to obtain a license to serve school-age children as a child care facility.

### **What rules does a community-based organization need to follow to serve food to school-age children at the Remote Learning Facility?**

All food must come from an approved food source (either catered from a permitted restaurant, brought in packaged from a public school cafeteria, or prepackaged from a food manufacturing facility) or, if preparing food, the community-based organization will need to obtain a permit under 15A NCAC 18A .2600.

### **How can a community-based organization get licensed to provide child care to school-age children?**

- Determine the type of child care program to offer.
  - To provide care in a home for a maximum of five preschool children, or up to eight children if at least three are school-aged, follow the [Family Child Care Home Process for Licensure](#).



## NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

- To provide care for more than five preschool children, follow the [Child Care Centers Application Process](#). The number of children a CBO can care for is based upon indoor and outdoor square footage, completed building fire and sanitation inspections and any local zoning ordinances
- Review the [Basic Information for Potential Providers](#).
- Follow [instructions from NCDHHS](#) to obtain a temporary license.
- Contact NC Division of Child Development and Early Education (DCDEE) for more information about the licensing process (1-800-859-0829).

### For Licensed Child Care Providers

#### **If licensed child care programs want to serve additional school-age children, how can they make sure that families know their program has spaces available?**

- Complete the [Daily Provider Survey](#) and other survey requests from NCDHHS. NCDHHS shares this information with North Carolina Child Care Resource & Referral which operates the child care hotline to let families know which programs are open or closed, and how many available spaces a facility has.
- Connect with the local public school leaders to let them know there is available space for school-age children.

#### **How can a licensed child care program expand to serve school-age children if they are not already doing so?**

If a program is not already licensed to provide school-age care, contact NC Division of Child Development and Early Education (DCDEE) at 1-800-859-0829 to understand the steps needed to obtain a license for school-age care. Once a program is licensed to provide school-aged care, it must meet the health and safety guidelines outlined in the [ChildCareStrongNC Public Health Toolkit](#).

#### **Can a licensed child care program use additional space in their facilities to serve school-age care?**

Yes. Under the [emergency rules](#) adopted by the NC Child Care Commission, licensed child care facilities may choose to use space, regardless of location, that was not previously approved for child care to care for school-age children. Additionally, licensed child care facilities that wish to use space in a different location must contact their licensing consultant for an onsite consultation and review of the space to gain approval to use the new off-site space and complete necessary building, fire, and sanitation inspections.

#### **If a provider is licensed to serve school-age children, does it need to have a contract with public schools to serve school-age children?**

No, if a program already has a license to serve school-age children, then the facility does not need to contract with a public school to serve as a Remote Learning Facility. This option was intended to allow community-based organizations that do not currently have a school-age child care license to enter into a written contract with public schools to provide care to school-age children during periods of remote learning.

#### **If a provider operated a licensed summer day camp, can it continue to provide child care during the school year?**

Licensed summer day camps are restricted by state regulation to operate during the time period of May 15 and September 15. Licensed summer day camps that were licensed in summer 2020 can apply for a permanent license and remain open and operating while awaiting the outcome of the application for the temporary license to serve school-age children.

### For Local Health Departments

**If a public school wants to use a newly constructed school building, or a school building that has previously not served as a location where education is provided, to provide school-aged care, what is the expectation for inspection by the local health department?**

Public schools that wish to operate a new public school building that is licensed by DPI as public school to provide school-age care are subject to any typical inspection or approval process for a school building. The State will review the plans upon request.